

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES

PLAINTIFF

v.

Case No. 5:19-CR-50094-TLB

FREDERICK HERROD

DEFENDANT

REPORT AND RECOMMENDATION OF MAGISTRATE JUDGE

Defendant Frederick Herrod (“Herrod”), a former federal inmate, filed a Motion pursuant to 18 U.S.C. § 2582 to Adjust Defendant’s Sentence to Receive all First Step Act Credits Secured to Him under 18 U.S.C. § 3632(d)(4). (ECF No. 185). At the time the Motion was filed on July 15, 2025, Herrod was residing at the City of Faith Halfway House in Little Rock. Pursuant to the provisions of 28 U.S.C. § 636(b)(1) and (3), U.S. District Judge Timothy L. Brooks referred the Motion to the undersigned for consideration. (ECF No. 186).

Upon inquiry by the Court, the United States Probation Office has advised that Herrod was released from custody (i.e., the City of Faith Halfway House) to a status of supervised release (homeless, in Fort Smith) on Friday, July 19, 2025. Because Herrod is no longer in federal custody, his Motion should be denied as **MOOT**. Should Herrod return to the custody of the Bureau of Prisons in the future, the issue of his credits may be readdressed.

The parties have fourteen days from receipt of the Report and Recommendation in which to file written objections pursuant to 28 U.S.C. § 636(b)(1). The failure to file timely objections may result in waiver of the right to appeal questions of fact. The parties are reminded that objections must be both timely and specific to trigger de novo review by the

district court.

RECOMMENDED this 21st day of July 2025.



CHRISTY COMSTOCK
UNITED STATES MAGISTRATE JUDGE